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Fresno, California

January 22, 2002

The City Council met in special joint session with the Redevelopment Agency at the hour of 8:32 a.m. in the Council Chambers, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Brad Castillo	Acting President
	Jerry Duncan	Councilmember
	Sal Quintero	Councilmember
	Henry Perea	Council President

Absent:	Dan Ronquillo	Councilmember
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Andy Souza, Assistant City Manager
Dan Fitzpatrick, Agency Executive Director
Hilda Cantu Montoy, City Attorney
Becky Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

(8:30 A.M.) JOINT MEETING WITH THE REDEVELOPMENT AGENCY

(“A”) EXECUTE PROMISSORY NOTE FROM THE FRESNO REDEVELOPMENT AGENCY FOR THE DOWNTOWN STADIUM STREET BEAUTIFICATION PROJECT

- 1. * RESOLUTION NO. 2002-23 - 69TH AMENDMENT TO AAR 01-200 APPROPRIATING \$1,480,000 FOR A CONTRACT FOR DOWNTOWN STADIUM STREET BEAUTIFICATION PROJECT**
- 2. AWARD A CONTRACT FOR THE DOWNTOWN STADIUM STREET BEAUTIFICATION PROJECT**

Agency Executive Director Fitzpatrick reviewed the issue of the promissory note as authorized at Council’s last meeting and advised the HCDC Board of Directors approved the item unanimously.

Barbara Hunt, 612 “F” Street, spoke to the issue.

Lengthy discussion ensued with Supervising Engineer Jarvis, Purchasing Manager Taggart, Public Works Director Williamson, Mr. Fitzpatrick and City Attorney Montoy responding to questions and/or concerns of Councilmembers Calhoun and Quintero relative to the “additional needs” staff found, what they were and why they had to be done now, how the situation arose to where they were not anticipated, if things were being “thrown into the pot”, what the changes in the scope of work were, the bidders and the bid process (with Ms. Taggart submitting the Evaluation of Bid Proposals page that was missing from the staff report), why the original process did not identify needed costs, why costs were now higher, if it would have been more prudent for public works to have been included in the design process from the beginning, if staff felt the additional costs were essential to accomplish the

project, if a new project was “slipped in” (with Mr. Williamson advising an alley project next to the stadium was a new

item), how the alley project got included and who made the decision to include it, if Council authorized the new project, if the project should have normally gone through Council, cost for the alley project, concern with the DIT Committee making decisions, original cost of the entire project, if the \$1.5 million promissory note would impact any other projects or cause delays, what the Agency's current debt was, when the Macias audit on the debt was expected, if the project could be constructed for \$1.6 million, the ongoing parking problems and if future Agency's will have funds available to build parking structures, if the project was on tract and if the City Attorney's office was reviewing everything as the process moved forward, previous dollars committed for Tulare/Broadway improvements. Assistant City Manager Souza further clarified issues relative to how the project cost went from \$1.6 million to \$2.8 million, advised the cost for the alley work was less than \$100,000, and further clarified why staff decided to add the alley work to the overall project. Councilmember Calhoun emphasized Council was the ultimate decision maker, stated the situation rose to this point due to rushing, and he stated wanted the promissory note to be repaid and not conveniently forgotten and questioned what the basis was to see that the city paid it back, with Mr. Fitzpatrick responding.

Chair Duncan stated good questions were asked and it was unfortunate the costs rose but there was rationale behind that, stressed the project was needed, and made a motion to approve staff's recommendation, which motion was acted upon after questions of Acting President Castillo relative to the unknown utilities that were found and there being no need for staff to come back to Council with a request for additional funds.

On motion of Chair Duncan, seconded by Councilmember Quintero, duly carried, RESOLVED, Council execution of the Promissory Note in the amount of \$1,480,000 from the Fresno Redevelopment Agency for the Downtown Stadium Street Beautification Project hereby approved; the above entitled Resolution No. 2002-23 hereby adopted; and a contract for the Base Bid only in the amount of \$2,807,183.90 hereby awarded to American Paving Company for the Downtown Stadium Street Beautification project, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Perea, Quintero, Duncan
Noes	:	None
Absent	:	Ronquillo

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UNSCHEDULED ORAL COMMUNICATIONS:

APPEARANCE BY BARBARA HUNT RELATING TO SPEAKING AT SPECIAL MEETINGS AND BONDS FOR THE STADIUM PROJECT

Appearance made; no action taken.

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The joint bodies adjourned their meeting at 9:19 a.m.

**(“B”)CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - CASE NAME:
CITY OF FRESNO V. COUNTY OF FRESNO, LAFCO AND CITY OF CLOVIS**

The Council reconvened and met in closed session in Room 2125 at the hour of 9:35 a.m. to consider the above issue and adjourned thereafter.

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ADJOURNMENT

There being no further business to bring before the joint bodies, the hour of 10:53 a.m. having arrived and hearing no objections, President Perea declared the meeting adjourned.

APPROVED on the 29th day of January, 2002.

_____ ATTEST: _____	
Henry Perea, Council President	Yolanda Salazar, Assistant City Clerk